

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

To:

see form PCT/ISA/220

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION
See paragraph 2 below

International application No.
PCT/IB2005/000919

International filing date (day/month/year)
23.03.2005

Priority date (day/month/year)
24.03.2004

International Patent Classification (IPC) or both national classification and IPC
B41J3/407, B41J15/04

Applicant
ESSELTE

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☒ Box No. II Priority
- ☒ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1 (a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



European Patent Office - P.B. 5818 Patentlaan 2
NL-2280 HV Rijswijk - Pays Bas
Tel. +31 70 340 - 2040 Tx: 31 651 epo nl
Fax: +31 70 340 - 3016

Authorized Officer

Joosting, T

Telephone No. +31 70 340-2849



**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/IB2005/000919

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
☐ This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
☐ a sequence listing
☐ table(s) related to the sequence listing
 - b. format of material:
☐ in written format
☐ in computer readable form
 - c. time of filing/furnishing:
☐ contained in the international application as filed.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

Box No. II Priority

1. ☐ The validity of the priority claim has not been considered because the International Searching Authority does not have in its possession a copy of the earlier application whose priority has been claimed or, where required, a translation of that earlier application. This opinion has nevertheless been established on the assumption that the relevant date (Rules 43bis.1 and 64.1) is the claimed priority date.
2. ☒ This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rules 43bis.1 and 64.1). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.
3. Additional observations, if necessary:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/IB2005/000919

Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non obvious), or to be industrially applicable have not been examined in respect of:

☐ the entire international application,

☒ claims Nos. 16, 20, 22, 24

because:

☐ the said international application, or the said claims Nos. relate to the following subject matter which does not require an international preliminary examination (*specify*):

☐ the description, claims or drawings (*indicate particular elements below*) or said claims Nos. are so unclear that no meaningful opinion could be formed (*specify*):

☐ the claims, or said claims Nos. are so inadequately supported by the description that no meaningful opinion could be formed.

☒ no international search report has been established for the whole application or for said claims Nos. 16,20,22,24

☐ the nucleotide and/or amino acid sequence listing does not comply with the standard provided for in Annex C of the Administrative Instructions in that:

the written form

☐ has not been furnished

☐ does not comply with the standard

the computer readable form

☐ has not been furnished

☐ does not comply with the standard

☐ the tables related to the nucleotide and/or amino acid sequence listing, if in computer readable form only, do not comply with the technical requirements provided for in Annex C-bis of the Administrative Instructions.

☐ See separate sheet for further details

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/B2005/000919

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	2-15, 17-19
	No: Claims	1, 21, 23, 25-28
Inventive step (IS)	Yes: Claims	2-15, 17-19
	No: Claims	1, 21, 23, 25-28
Industrial applicability (IA)	Yes: Claims	1-15, 17-19, 21, 23, 25-28
	No: Claims	

2. Citations and explanations

see separate sheet

10/593761

IAP9 Rec'd PCT/PTO 22 SEP 2006

International application No.

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING
AUTHORITY (SEPARATE SHEET)**

PCT/IB2005/000919

Re Item V.

- 1 Reference is made to the following documents:

D1 : US 5 435 657 A (SUN RICKSON ET AL) 25 July 1995 (1995-07-25)
D2 : US 2002/031388 A1 (PALMER MATHEW RICHARD ET AL) 14 March 2002
(2002-03-14)
D4 : US-B1-6 522 349 (LEE YEN-CHI) 18 February 2003 (2003-02-18)

- 2 INDEPENDENT CLAIM 1

The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 1 is not new in the sense of Article 33(2) PCT.

Document D1 discloses (the references in parentheses applying to this document):

A tape printer comprising a housing and a printhead (248) having a line of printing elements thereon, wherein said printer comprises at least one cassette receiving portion (13) in said housing, such that the cassette is receivable in a direction (see figure 1) which is substantially perpendicular to the line of printing elements on the printhead when in printing position.

The subject matter of claim 1 is therefor not new.

- 3 INDEPENDENT CLAIM 21

The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 21 is not new in the sense of Article 33(2) PCT.

Document D4 discloses (the references in parentheses applying to this document):

An ink ribbon cassette (52) comprising a body having an ink ribbon supply spool and an ink ribbon take up spool and a member connecting the two portions (see figure 7 and 9), wherein an opening is provided over the entire width of the cassette (see figure 7), said cassette further comprising a gear (see figure 8) coupled to said spool for coupling with a drive gear in a tape printer.

The subject matter of claim 21 is therefor not new.

- 4 INDEPENDENT CLAIM 23

The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 23 is not new in the sense of Article 33(2) PCT.

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Document D1 discloses (the references in parentheses applying to this document):
A method of loading a tape cassette (12) into a printer (10), comprising a printhead (248), said method comprising inserting said cassette in a direction (see figure 1) which is perpendicular to the line of printing elements on the head when in printing position.

5 INDEPENDENT CLAIM 25

The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 25 is not new in the sense of Article 33(2) PCT.

Document D1 discloses (the references in parentheses applying to this document):

A tape cassette having a body with a guide member (see figure 1, bottom part at reference sign 24) on each two opposite sides extending along said sides in a second direction for locating the cassette in the tape printer.

The subject matter of claim 25 is therefor not new.

Moreover, Document D2 also discloses all technical features of claim 25.

6 DEPENDENT CLAIMS 26-28

Dependent claims 26-28 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty and/or inventive step (Article 33(2) and (3) PCT).

Claims 26-28 are disclosed in D1, claims 26-27 are disclosed in D2.

7 CLAIMS 16, 20, 22, 24

Claims 16,20,22 and 23 contain references to figures of the application. This is not allowed according to Rule 6.2 (a) of the PCT.

8 INDEPENDENT CLAIM 17 and DEPENDENT CLAIMS 2-15, 17-19

The combination of the features of dependent claims 2-15, 17-19 are neither known from, nor rendered obvious by, the available prior art. The reasons are as follows:

----- No document shows the combination of technical features from the above mentioned claims. -----